



Caltrans Public Auction

Wednesday September 23, 2009

Former Gas Station and Mini Market

HWY 180 (E Kings Canyon Road) and Academy Avenue



**Auction held at United Security Bank Building
855 M Street, Second Floor
Fresno, CA 93721**

**Registration at 9:30 AM
Size: 31,714 sq ft
Minimum Bid: \$ 360,500**

**Bidding begins at 10:00 AM
Zoned: C-6 (General Commercial)
Required Deposit: \$ 36,000**

Open house – September 9, 2009 on site from 1:00 - 3:00 PM

FOR MORE INFORMATION:

Central Region Excess Land Unit Hotline (559) 445-6424

Visit us online at www.dot.ca.gov/property/

**ALL SALES SUBJECT TO APPROVAL OF THE CALIFORNIA TRANSPORTATION COMMISSION
PROPERTY SOLD AS IS, PLEASE READ ATTACHED TERMS AND DISCLOSURES**

TERMS OF OPTION

TERMS: Bids to purchase will be for cash. The successful bidder will be required to execute an Option to Purchase agreeing to the following terms and conditions that are made part of the Option by reference therein:

DEPOSIT: All bids must be accompanied by CASHIERS CHECK made payable to Department of Transportation in the amount of the required option deposit.

OPTION PERIOD: The option deposit will be the consideration for the option period, the length of which is specified elsewhere in this notice. The option period shall commence on the first day following the date the bids are opened. The balance of the purchase price shall be paid on or before expiration of the option period.

There may be situations wherein the option holder is unable to complete the Terms of Option within the time allowed for reasons beyond his/her control. Under these circumstances, the State, at its discretion, may elect to extend the option period. A charge of 1% of the bid price per month will normally be made for such extensions. This charge **SHALL NOT** be applied toward the purchase price.

FORFEITURE OF DEPOSIT: The option deposit and any additional option deposit shall be **NON REFUNDABLE** in the event that the successful bidder fails to exercise the option within the option period or fails to comply with any and all the terms of the option as herein provided.

SECOND HIGH BID: In the event that the high bidder fails to exercise his option within the option period or defaults in completion of the sale, the State may, at its discretion, offer the option to the second highest bidder.

If the second high bidder accepts the option, the deposit requirement and terms of option to purchase shall be the same as stated in this notice of sale except that the option period shall commence on the day the option is awarded by the State.

LIMITING CONDITIONS:

(1) The sale under this option is subject to the approval of the California Transportation Commission. Any assignments under this contract must be made prior thereto. If the sale is not approved, the option deposit money will be refunded without interest. The successful bidder may take possession when the Director's Deed is recorded.

(2) When the California Transportation Commission approves the sale and the successful bidder elects to exercise the option, the option deposit will be credited toward the bid purchase price.

(3) The State reserves the right to reject any and all bids and to cancel the sale in part or in its entirety, at any time prior to recordation of the Director's Deed. In the event of cancellation of sale and/or rejection of any bids, the respective deposits of money shall be refunded without interest.

(4) The right, title and interest in the property to be sold shall not exceed that vested in the State of California, and this sale is subject to all title exceptions and reservations whether or not of record. The successful purchaser may obtain a policy of title insurance at his or her own expense.

(5) The successful bidder shall pay all recording fees, documentary stamp taxes, or other real estate transaction taxes or fees by whatever name known, including escrow fees or broker's commission, if any, and personal property sales taxes where applicable.

(6) Should the successful purchaser desire a survey of the property, this may be accomplished by an independent survey at the purchaser's expense. No warranty is made by the Department of Transportation relative to the ground locations of property lines other than monumented highway right of way lines.

(7) The successful bidder shall be responsible for complying with local building codes and ordinances. All properties are sold in an "as is" condition.

(8) The sale of this excess property is exempt from CEQA.

All CALTRANS employees may bid to acquire excess State property except employees who have direct access to information not generally available to the public or who influence the purchase or sale of right of way or other real property.

All payments must be made to:
DEPARTMENT OF TRANSPORTATION

Payments must be made by **CASHIERS CHECK** payable to the order of the "**Department of Transportation**". The successful bidder's option deposit made at the time of sale will be retained by the State and not placed in escrow.

DD 84512-01-01 DATA SHEET

PROPERTY SOLD "AS IS," PLEASE SEE ATTACHED TERMS

Property Location:	Southeast corner of Academy Avenue and Route 180 (E. Kings Canyon Road) in Fresno County, CA
APN:	314-070-37 & 38
Minimum Bid:	\$360,500
Required Deposit:	Bidders must possess a Cashier's Check in the amount of \$36,000 payable to the Department of Transportation to participate in the auction.
Bid Numbers:	Bid numbers will be available Wednesday September 23, 2009 from 9:30 AM to 10.00 AM. Possession of a Cashier's Check in the amount of the required deposit must be shown in order to receive a bid number.
Option Period:	Balance due in the office on or before November 19, 2009.
Description:	Parcel 84512-01-01 is a rectangular shaped vacant parcel that contains 31,714 square feet. The parcel has approx. 90 foot access opening from Academy Avenue.
Improvements:	The mini market is a 1,800 square foot building. The six gas pumps are under a two-pole 1,920 square foot canopy. Rest rooms are 250 square feet. There is also a 10,000 gallon water tank on site. There are two underground tanks with storage capability of 20,000 gallons.
Zoning:	C-6 (General Commercial). Please contact the City of Sanger and Fresno County for more zoning information and potential uses.
Utilities	Please contact the applicable utility providers for more information.
Environmental:	The Central Regional Water Quality Control Board has found the site is in compliance. For further information please log on to: http://geotracker.swrcb.ca.gov/profile_report.asp?global_id=T0601993681
Disclosure:	The facility needs to be equipped with a certified Enhanced Vapor Recovery (EVR) system to be in compliance with State of California law. The property is sold as is and is subject to all governmental agencies laws and regulations. For more information please contact following organizations and websites at: California Air Resource Board at www.arb.ca.gov/cap/handbooks/vr_compliance_calendar_2008-09.pdf , Fresno County Dept. of Public Health at www.fresnocountycupa.com and San Joaquin Valley Air Pollution Control Dist. at www.valleyair.org .
Open house:	September 9, 2009 on site from 1:00 - 3:00 PM. Buildings will be opened for inspection.

TITLE EXCEPTIONS AND RESERVATIONS

- The property is warranted to be free of any liens, court judgments, loans (Deeds of Trust, etc.) and delinquent or unpaid taxes. The sale of this property is subject to all matters of public record and any easements, claims of easements, or reservations not of record. The Department of Transportation does not assume any liability for any possible encumbrances on this property. The right, title, and interest in this property shall not exceed that vested in the State of California. Prospective bidders should consult local title companies if more complete information regarding the title of the property is required.
- The property has an easement reserved for County of Fresno and an unrecorded easement to San Joaquin Light and Power Corporation. The easements are shown on the attached map.
- Copy of legal description and preliminary title report are available upon request.

DIST.	COUNTY	ROUTE	KILOMETER POST	NO.	SHEETS
6	Fre	180	115.16	2	2

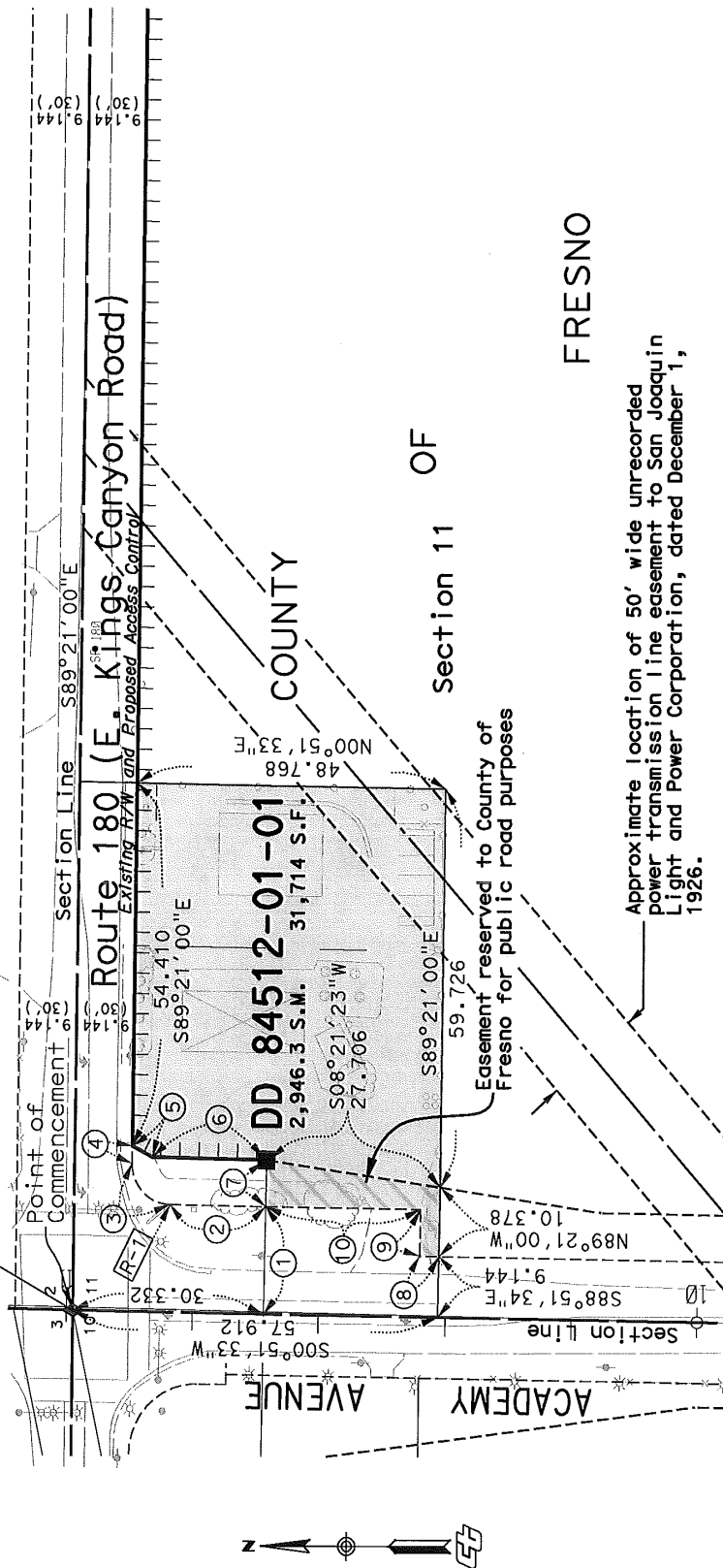
T.14 S., R.22 E., M.D.B.& M.



- ① S89°02'36"E-16.154
- ② N00°51'33"E-15.175
- ③ R=6.096
Δ=90°02'03"
L=9.579
- ④ S89°21'01"E-2.610
- ⑤ S27°34'21"W-3.587
- ⑥ S01°08'25"W-18.114
- ⑦ N89°02'36"W-6.983
- ⑧ N00°51'33"E-3.048
- ⑨ S89°21'00"E-7.010
- ⑩ N00°51'33"E-24.446
- R-1 N89°23'05"W

NW COR OF SECTION 11-14/22

FD. BRASS CAP MONUMENT
IN WELL PER CORNER REC.
N 655759.341
E 1950315.506



CONVERSION FACTOR: This survey is in meters.
Multiply by 3937/1200 to convert to feet.

This survey is based on the California Coordinate System of 1983, Zone 4. Units are in meters. Bearings and distances are on grid. Multiply by 1.0000576433 to convert to ground distances. Areas are in ground.

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DIRECTOR'S DEED MAP DD 84512-01-01

2,946.3 S.M. 31,714 S.F.
Scale 1:1000 May 2009

